

Policy: Stand Downs and Suspensions

Policy Statement

As required by Section 13 of the Education Amendment Act 1998, the Principal must notify the Secretary of Education immediately, via ENROL, if a student is suspended, expelled, excluded or stood down. This policy enables the school to provide a range of responses for cases of varying degrees of serious misbehaviour to minimise the disruption to a student's attendance at school and facilitate the return of the student to school when that is appropriate.

The suspension policy will be applied as part of the school's Behaviour Management Policy in compliance with the procedures set out in the Education Amendment Act 1998. This will enable the student to understand what behaviour is unacceptable to God and to the school community and encourage them to feel remorse for their actions.

Suspension is a serious situation in which a child and their family need support so that restoration can be offered and hopefully attained. As part of its responsibility to provide pastoral care, the school will seek outside agencies to assist the student. For restoration, the child and family may need support from their church, Christian counsellor or another designated agency. All mediation with all parties must be done in order to seek restoration between the child, teacher, fellow students and family members.

Procedural Guidelines

- Stand downs and suspensions and notices about them are covered in Section 14 of the Education Act 1989.
- The Principal who wants to direct a student to absent himself/herself from school for disciplinary reasons may do so only by standing down or suspending the student under Section 14 (1) of the Act.
- The Principal who has stood down or suspended a student must not allow the student to leave the school on the day of the stand down or suspension until the Principal has made suitable arrangements for the supervision of the student from the school on that day.
- The Principal, communicating to the parents of a student about the stand down or suspension, must do so in a way that respects the parents' dignity while ensuring the parents understand the message. When investigating serious misconduct, a staff member may only seek an admission from a student when a parent or alternative contact is present and the Principal must build a background picture of the student from information from within the school.
- The Principal who has stood down or suspended a student must pass on to the student and a parent of the student the information on stand down or suspension given to the Principal.
- The Principal who has stood down a student must arrange a meeting to discuss the stand down if asked to do so by the student, parent or both. The only people who may be present are the Principal, the student, the student's parents and any person who may contribute, in the Principal's opinion, a helpful form of advice. The student may wish to have a support person present. The meeting must take place as soon as is practicable for all parties concerned.

- Under Rule 8, the Principal may decide that the stand down was not justified under Section 14 (1) of the Act so removal of stand down from the pupil's record is done and written information is given to the student and anyone else who was told of the stand down under Section 18 (1) of the Act.
- The Principal who has suspended a student must tell the student and a parent, in writing, that at the suspension meeting the Board may lift or extend the suspension or exclude or expel the student.
- The Principal, telling the Secretary of Education about a suspension, must provide the Secretary the information about the suspension that the Secretary requests.
- The Board must deal sensitively with the parents.
- Stood down or suspended students may be present at school for some purposes e.g. to sit an exam, fulfill course requirements for a qualification.
- The Principal who has suspended a student must write a report to the Board with all relevant information pertaining to the suspension.
- People who attend a Board meeting will include the family and any support workers/people.
- When deciding whether to suspend or request a reconsideration meeting, the Principal must consult with a parent or alternative contact before making a decision. When considering the above, the Principal must include incidents of grave misconduct of the actual incident and any other supporting information.

Attendees at the Suspension Meeting

The only people who may attend a suspension meeting are people referred to in Section 17B of the Act and people referred to in this rule:

1. The representatives of the student and the student's parents referred to in Section 17B of the Act mean the student's and parents':
 - * Support network
 - * Lawyers
2. The Board's secretarial staff and lawyers may attend the meeting.
3. With the agreement of the student and the student's parents, the Board may invite to the meeting any other person whose contribution, in the Board's opinion, is likely to help ensure a fair outcome for the student.

Excluded Students

Secretary of Education's powers when the excluded student is younger than 16:

1. If the Secretary is satisfied that the Board of a state or integrated school has excluded a student who is younger than 16 from the school under Section 15 (1) and that the Principal has not arranged for the student to attend another school, the Secretary must either:
 - a) If satisfied that it is not inappropriate for the student to return to the school from which the student has been excluded, lift the exclusion; or
 - (b) Arrange for and, if necessary, direct the Board of any other state or integrated school to enrol the student at the other school; or
 - (c) Direct a parent of the student to enrol the student at Correspondence School.
2. The Secretary may not give a direction under subsection (1)(b) or lift an exclusion under subsection (1)(a) unless the Secretary has also made all reasonable attempts to consult the student, the student's parents, the Board, and any other person or

organisation that, in the opinion of the Secretary, may be interested in, or be able to advise on or help with, the student's education or welfare.

3. If the Board of the school from which the student has been excluded also controls another school, the Secretary (in exercising the power conferred by subsection (1)(b)) may direct the Board to enrol the student at that other school.
4. A Board must comply with a direction under subsection (1)(b), and the direction overrides the provisions of any enrolment schemes the school may have in place.

School Register

Section 17C of the Education Act 1989 states with regard to the effect of suspension on the school register:

1. The name of a student younger than 16 who has been suspended from a school under Section 14 or excluded from a school under Section 15 (1)(c) must stay on the school's register until the earliest of the following days:
 - a) The day the student is enrolled at another registered school or
 - b) The day the student is given an exemption under Section 21 or Section 22.

Re-enrolment of Excluded or Expelled Student

Section 17D of the Education Act 1989 states:

1. The Board of a state school from which a student has ever been excluded or expelled (whether under Section 15 or Section 17) may refuse to enrol the student at the school (unless, in the case of an exclusion, the Secretary has lifted the exclusion under section 16 (1)(a)).
2. Subject to Section 16 (1)(b), the Board of a state school may refuse to enrol a student who is for the time being excluded or expelled (whether under Section 15 or Section 17) from another state school.
3. The Secretary may, in the case of a student who has turned 16, direct the Board of another state school (that is not an integrated school) to enrol a student at the school if:
 - (a) The student has been expelled under Section 17; and
 - (b) The Secretary has made all reasonable attempts to consult the student, the student's parents, the Board, and any other person or organisation that, in the opinion of the Secretary, may be interested in, or able to advise on or help with, the student's education or welfare.
4. A Board must comply with a direction under subsection (3), and the direction overrides the provisions of any enrolment scheme the school may have in place.
 - a) A student who has been suspended and a parent of the school are entitled to receive from the Principal, as soon as practicable after the suspension, written notice of the time and place of the suspension meeting. They are to receive from the Principal within at least 48 hours prior to the meeting, any information on the Board's meeting procedures, the Principal's report, any background material and any material that will be presented at the suspension meeting with Board members.
 - b) The Board holding a suspension meeting must respect the culture and language of the student and any of his/her parents who are at the meeting.

- c) The Board must allow a temporary break for consideration of new information if any is presented during the meeting.
- d) Before deciding at a suspension meeting whether to lift or extend the suspension or to exclude or expel the student, the Board must have due regard for each circumstance relevant to the suspension and consider each statutory option available to it.
- e) The Principal must withdraw from the suspension meeting while the Board makes a decision.
- f) The Board must take all practicable steps to ensure that material presented at a suspension meeting and the discussion that takes place there are not disclosed to anyone except as required by or under law.

Reviews of Extended Suspensions:

Section 15 of the Education Act 1989 states the Board's powers when suspending a student younger than 16:

1. If a student younger than 16 has been suspended from a state or state integrated school, the school's Board may:
 - a) Lift the suspension at any time before it expires, either unconditionally or subject to any reasonable conditions the Board wants to make.
 - b) Extend the suspension conditionally for a reasonable period determined by the Board in which case subsection (2) applies.
 - c) If the circumstances of the case justify the most serious response, exclude the student from the school by extending the suspension and require the student to be enrolled at another school.
2. If the Board extends a suspension conditionally, the Board must impose reasonable conditions aimed at facilitating the return of the student to school and must take appropriate steps to facilitate the return of the student to school.
3. If a student fails to comply with any condition imposed under this section in respect of the lifting or extension of his/her suspension, the Principal may request the Board to reconsider the action it took under this section in that case, and the Board may confirm or reverse its earlier decision or may modify its earlier decision by taking any action specified in any of paragraphs (a) to (c) of subsection (1).
4. If the Board has not lifted or extended the time or excluded the student, this must be done:
 - a) at the close of the 7th school day after the day of the suspension; or
 - b) if the suspension occurs within 7 school days before the end of a term, at the close of the 10th calendar day after the day of the suspension.
5. If the Board of a state school excludes the student under subsection (1)(c) the Principal must try to arrange for the student to attend another school (which must be a school that is a suitable school that the student can reasonably and conveniently attend).
6. If the Principal is unable, by the 10th school day after the day of the Board's decision to exclude a student, to arrange for the student to attend another school, the Principal must tell the Secretary what steps the Principal took in trying to do so.

Please note in this Policy the Secretary refers to the Secretary of Education and the Parent incorporates Legal Guardian and Caregivers.

Review schedule: Triennially

ADOPTED BY BOARD OF TRUSTEES		
Date	18 th October 2018	Chairperson G Budler

Reviewed Date 1st September 2020 Chairperson **M Causley**